



Reasonable Accommodations Ordinance

The Los Angeles County Department of Regional Planning is currently drafting an ordinance to implement State and Federal fair housing laws. While it is the policy of the County to provide individuals with disabilities reasonable accommodation to rules, policies, procedures and practices that may be necessary to ensure equal access to housing opportunities, this ordinance will establish a clear and streamlined procedure to request a reasonable accommodation in the application of zoning laws and other land use regulations, policies and procedures.

Who can request a Reasonable Accommodation?

A person with a disability, or someone acting on their behalf, such as an advocate or a developer of housing for persons with disabilities, may request a reasonable accommodation. According to the California Fair Employment and Housing Act, and the Government Code, a person with a disability is someone who has a physical or mental impairment that limits a major life activity; has a record of such impairment; or is regarded as having such impairment. The law is specific in its definition of disability:

- “Physical and mental impairment” includes medical conditions such as cancer, genetic characteristics, emotional or mental illness, learning disabilities, HIV or AIDS, among many other diseases and health impairments, regardless of whether they are chronic, recurring, asymptomatic or treatable. Also included in the definition are persons in recovery from substance abuse, but not persons currently engaging in the unlawful use of drugs.
- “A major life activity” broadly includes physical, mental and social activities, and working.
- “Limits” a major life activity means it make the achievement of the activity difficult. The limiting factor is determined without regard to mitigating measures such as medications, assistive devices, or previous reasonable accommodations.

Why adopt a Reasonable Accommodations Ordinance?

Numerous State and Federal laws prohibit discrimination against persons with disabilities, whether intentional or in effect. In 2001, the California attorney general issued a statement to notify all local jurisdictions of their obligation to make reasonable accommodations in planning and development. Also, the recently adopted 2008 Housing Element commits the County to developing a reasonable accommodations procedure. By adopting an ordinance to the zoning code, the County is taking an affirmative step to ensure persons with disabilities have fair and equal access to housing.

Reasonable Accommodations Ordinance Highlights

- This ordinance will not require any additional accessibility features. It will allow an exception to existing rules, policies, practices or procedures if they impede housing access.
- Each request for a reasonable accommodation will be reviewed on a case-by-case basis to ensure that the requested accommodation meets specified findings.